
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Huebner et al.

Attorney Docket No.: CHIRP018R

Patent No.: 6,291,505

Issued: September 18, 2001

Title: ESTROGEN RECEPTOR MODULATORS

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REISSUE APPLICATION DECLARATION BY INVENTORS

As a below-named inventor, I hereby declare that:

1. My residence and citizenship are stated below next to my name.
2. I have reviewed and understand the contents of the specification and claims of the above-identified reissue application, and believe myself to be an original, first, and joint inventor of the invention described and claimed in the above-identified reissue application and in U.S. Letters Patent No. 6,291,505 on which the reissue application is based.
3. I do not know and do not believe that said invention was ever known or used in the United States of America before the invention thereof by myself.
4. I acknowledge a duty to disclose information I am aware of which is material to patentability as defined in 37 C.F.R. § 1.56.
5. I believe that the original patent, U.S. Letters Patent No. 6,291,505, is partly inoperative for failure to claim priority under 35 U.S.C. § 119(e) to U.S. Provisional Application No. 60/095,773, filed on August 7, 1998. U.S. Letters Patent No. 6,291,505, which issued from Application No. 09/369,747, filed August 6, 1999, claimed priority to U.S. Provisional Application No. 60/095,772, which was filed on the same day as U.S. Provisional Application No. 60/095,773. However, a priority claim to U.S. Provisional Application No. 60/095,773 was

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Date: _____

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Date: 8-22-03

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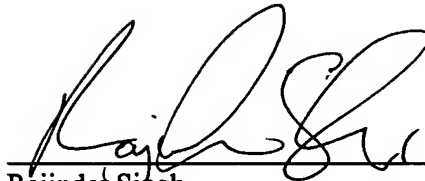
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Date: 10/15/2003


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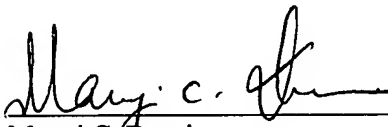
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Date: Oct. 23, 2003


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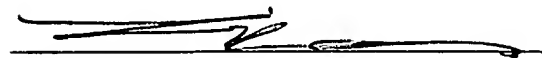
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6. All errors being corrected in this reissue arose without any deceptive intent on my part.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Huebner et al.

Attorney Docket No.: CHIRP018R

Original Patent No.: 6,291,505

Original Patent Issue Date: September 18, 2001

For: ESTROGEN RECEPTOR MODULATORS

POWER OF ATTORNEY BY ASSIGNEE AND 37 CFR §3.73 STATEMENT

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Chiron Corporation is the assignee of the above-referenced patent application by virtue of an assignment document. The assignment document is/was recorded:

☒ at Reel 010359, Frame(s) 0564

☒ on November 5, 1999

☐ submitted concurrently herewith

The assignee represents, pursuant to 37 C.F.R. §3.73(b), that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Pursuant to 37 C.F.R. §§1.36 and 3.71, the assignee hereby revokes all powers of attorney previously given and hereby appoints and hereby appoints the registered attorneys and agents of Chiron Corporation, Customer Number 27476, specifically including the following attorneys and agents:

ROBERT P. BLACKBURN
JOSEPH H. GUTH
ALISA A. HARBIN
CHARLENE A. LAUNER
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Reg. No. 33,035
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Reg. No. 42,429
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And the registered attorneys and agents of Beyer Weaver & Thomas, LLP, specifically including the following attorneys and agents:

Steve D Beyer, Reg. No. 31,234
Jeffrey K. Weaver, Reg. No. 31,314
C. Douglass Thomas, Reg. No. 32,947
James E. Austin, Reg. No. 39,489
Joseph M. Villeneuve, Reg. No. 37,460
Jonathan O. Scott, Reg. No. 39,364
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Damon K. Kali, Reg. No. 50,541

as its principal attorneys to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, to transact all business in the United States Patent and Trademark Office connected therewith, and to have full power of substitution, association, and revocation, including the power to revoke the power of attorney of any associate attorney.

Please direct all future correspondence concerning this application to:

CHIRON CORPORATION

Customer Number: 27476

27476

PATENT TRADEMARK OFFICE

Attorney Steven W. Collier

Reg. No. 42,429

Chiron Corporation

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In accordance with 37 CFR 3.73, the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Assignee of Interest:

Chiron Corporation

Date

August 8, 2003

Steven W. Collier

Name: Steven W. Collier

Title: Assistant Secretary

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Huebner et al.

Attorney Docket No.: CHIRP018R

Original Patent No.: 6,291,505

Original Patent Issue Date: September 18, 2001

For: ESTROGEN RECEPTOR MODULATORS

**Establishing Right Of Assignee To Take Action
and Consent Of Assignee
under 37 C.F.R. 1.172(a) and 3.73(b)**

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The assignee of the entire right, title and interest hereby seeks to take action in the Patent and Trademark Office in this matter.

IDENTIFICATION OF ASSIGNEE

The assignee of the entire right, title and interest of the above-identified application/patent is Chiron Corporation.

BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established by assignment document recorded at reel 010359, frame 0564. A copy of the assignment is attached hereto.

DECLARATIONS

I, the undersigned, have reviewed all of the evidentiary documents for the above-identified application, and, to the best of my knowledge and belief, title is in the assignee seeking to take this action.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these

statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

ASSENT OF ASSIGNEE

Chiron Corporation, owner of U.S. Patent No. 6,291,505 by virtue of the assignment document referenced above, hereby assents to the filing of an application for reissue of said patent and to the issuance of a reissue patent therefor.

Date: August 8, 2003

Steven W. Collier
Steven W. Collier
Assistant Secretary
Chiron Corporation